

UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

DOCKET No. 3:15-CV-04106-PGS-DEA

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DISTRICT OF NEW JERSEY

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Zia Shaikh, *in propria persona*
4400 Route 9
Suite 1000
Freehold, New Jersey 07728
732-766-5466(c)

**DISTRICT COURT FOR THE UNITED STATES
DISTRICT OF NEW JERSEY
TRENTON VICINAGE**

Zia Shaikh,

Plaintiff,

vs.

Jackson Township,
Jackson Township Police Dept.,
Jackson Twsp. Police Officer
Tristan Bennett Badge #273,
Jackson Twsp. Police Officer David
Watson Badge #256,
Jackson Township Police Sergeant
Wayne Olejarz Badge #204,
Police Officer Eric Prosniewski
Badge #249,
Steven A. Zabarsky, Esq.,
Kimberly Zabarsky, Law firm
of Citta, Holzapfel & Zabarsky,
Legal Malpractice Insurance Carrier
for Citta, Holzapfel & Zabarsky,
Laura Germadnig-Shaikh, Siegfried
Germadnig, Patricia Germadnig,
Melissa Reeves, Kenneth Reeves,
Cathleen Christie-Coneeny, Esq.,
Legal Malpractice Insurance Carrier
For Cathleen Christie-Coneeny, Esq.,
Camille Eluzzi, Jackson Twsp.
Assistant Deputy Court
Administrator, Cowan & Guteski,
CPA Co., John Does 1-10, Jane Does
1-10, XYZ Corporations,

Defendant.

Case No.3:15-cv-04106

CIVIL ACTION

**NOTICE OF SPECIAL
PRO SE
LITIGANT RIGHTS**

Notice of Special *Pro Se* Litigant Rights

Comes now Petitioner, Zia Shaikh, respectfully providing a sample collection of federal case laws regarding certain special respect to and for *pro se* rights:

Pro se pleadings are always to be construed liberally and expansively, affording them all opportunity in obtaining substance of justice, over technicality of form. Maty v. Grasselli Chemical Co. 303 U.S. 197 (1938); Picking v. Pennsylvania Railroad Co. 151 F.2d 240 (3rd Cir. 1945); Jenkins v. McKeithen 395 U.S. 411, 421 (1959); Haines v. Kerner 404 U.S. 519, 520-21, 92 S.Ct. 594, 596, 30 L.Ed.2d 652 (1972); Cruz v. Beto 405 U.S. 319, 322, 92 S.Ct. 1079, 1081, 31 L.Ed.2d 263 (1972); Puckett v. Cox 456 F. 2d 233 (6th Cir. 1972); and, etc., etc., etc., practically *ad infinitum*.

If the court can reasonably read the submissions, it should do so despite failure to cite proper legal authority, confusion of legal theories, poor syntax or sentence construction, or a litigant's unfamiliarity with particular rule requirements. Boag v. MacDougall 454 U.S. 364, 102 S.Ct. 700, 70 L.Ed.2d 551 (1982); Estelle v. Gamble 429 U.S. 97, 106, 97 S.Ct. 285, 50 L.Ed.2d 251 (1976) (quoting Conley v. Gibson 355 U.S. 41, 45-46, 78 S.Ct. 99, 2 L.Ed.2d 80 (1957)); Haines v. Kerner 404 U.S. 519, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); McDowell v. Delaware State Police 88 F.3d 188, 189 (3rd Cir. 1996); United States v. Day 969 F.2d 39, 42 (3rd Cir. 1992); Then v. I.N.S. 58 F.Supp.2d 422, 429 (D.N.J. 1999); and, etc., along with numerous similar rulings.

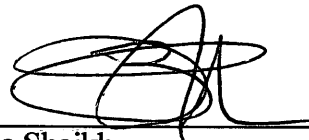
When interpreting *pro se* papers, this Court is required to use its own common sense to determine what relief that party either desires, or is otherwise entitled to. S.E.C. v. Elliott 953 F.2d 1560, 1582 (11th Cir. 1992). See also, United States v. Miller 197 F.3d 644, 648 (3rd Cir. 1999) (court has a special obligation to construe *pro se* litigants' pleadings liberally); Poling v.

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K. Hovnanian Enterprises 99 F.Supp.2d 502, 506-07 (D.N.J. 2000); and, etc.

Indeed, the courts will even go to particular pains to **protect** *pro se* litigants against consequences of technical errors if injustice would otherwise result. U.S. v. Sanchez 88 F.3d 1243 (D.C.Cir. 1996). Moreover, "*the court is under a duty to examine the complaint to determine if the allegations provide for relief on ***any*** possible theory.*" (emphasis added) See, e.g., Bonner v. Circuit Court of St. Louis 526 F.2d 1331, 1334 (8th Cir. 1975) (quoting Bramlet v. Wilson 495 F.2d 714, 716 (8th Cir. 1974)), and etc.

Respectfully submitted,



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Pro Se Petitioner Party of Record

DATED: DECEMBER 28, 2015

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US District Court for the District of New Jersey
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RE Case No. 15-04106